

Exhibit A

FILED-4

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

2013 MAY 13 PM 2:53

Howard Kirby Sonnier)
)
Plaintiff,)
)
v.)
)
CITGO Petroleum Corporation,)
)
Defendant.)

DOROTHY BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

No.

2013L004960
CALENDAR/ROOM X
TIME 00:00
PI Structural

COMPLAINT AT LAW

NOW COMES the Plaintiff, Howard Kirby Sonnier, by his attorneys, Kreisman Law Offices and complaining of the defendant, CITGO Petroleum Corporation (hereinafter "CITGO"), states as follows.

1. The plaintiff, Howard Kirby Sonnier (hereinafter "Sonnier"), is a resident of Sulphur, Louisiana and was so at the time of the incident that made the basis of this lawsuit.
2. On May 10, 2012, Sonnier was working as a pipefitter and welder for Turnaround Welding Services (hereinafter "TWS"), of Livingston, Louisiana, at the CITGO facility premises located at 12300 Archer Ave., Lemont, Cook County, Illinois.
3. On May 10, 2012, Sonnier was working the 7:00 pm to 7:00 am shift for the "turnaround project" at the CITGO oil refinery.
4. On May 10, 2012, Sonnier was assigned the job of loading and offloading 50 ft. long tubes from a flat bed truck using a crane.
5. At the time and place as aforesaid, Sonnier was working at the CITGO oil refinery on a flatbed trailer at least 5 ft. off the ground.

6. On May 10, 2012, the job assigned to Sonnier was to assist in working on the flatbed trailer spreading out chokers so that the pipes on the flatbed could be lifted off one pipe at a time by the crane.

7. On May 10, 2012, an employee and/or agent of defendant CITGO, its safety foreman for that shift, was asked to provide a rolling stair ladder to the trailer where plaintiff Sonnier was working.

8. The CITGO safety foreman for Sonnier's work was known as "Mario" and was also the same safety foreman who conducted safety meetings with TWS's employees each shift, including that at 7:00 pm on May 10, 2012.

9. Plaintiff Sonnier asked Mario, the CITGO safety foreman, to provide the rolling stairs ladder for the trailer where he was working. Mario agreed that he would provide it, but never did.

10. After the lunch break on May 10, 2012 on the 7:00 pm to 7:00 am shift, no rolling stairs ladder was brought to the worksite where Sonnier was working.

11. On May 10, 2012 and at all relevant times, CITGO acting by and through its agents and/or employees represented to plaintiff Sonnier either directly or impliedly that the rolling stairs ladder would be provided for safety purposes, but was not provided making the work Sonnier was required to do dangerous and unsafe.

12. That at the aforementioned time and place, and prior thereto, the defendant CITGO, well-knowing its duty in this regard, carelessly and negligently caused and permitted said unsafe condition to exist and caused and permitted the unsafe condition to persist.

13. On May 10, 2012 and at all relevant times, the defendant, CITGO had a duty to provide safe work conditions for all subcontractor employees, including TWS's employees, including plaintiff Sonnier.

14. The defendant CITGO acting by and through its agents and/or employees was negligent in one or more of the following respects:

- a. Failed to provide a safe work place for TWS employees, including the plaintiff;
- b. Failed and refused to provide a rolling stair ladder to be used for safe practices at the CITGO refinery during its turnaround project and particularly the loading and offloading of tubes on the flatbed trailer;
- c. Failed and refused to provide a ladder or scaffold for the safe means of workers getting on and off the trailer to work at the CITGO refinery, including the plaintiff;
- d. Failed to provide a ladder for workers loading and offloading from a 5 foot high trailer bed where the plaintiff was required to work;
- e. Failed to provide a safe method to do the turnaround work required of plaintiff at CITGO; and
- f. Failed and refused to comply with CITGO's safe practices and policies for workers at its facility;

15. That on the aforementioned date and as a direct and proximate result of the aforesaid acts or omissions of the defendant, CITGO, the plaintiff Sonnier fell from the flatbed trailer to the ground severely injuring himself.

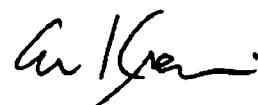
16. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the defendant CITGO, the plaintiff Sonnier then and there sustained severe and permanent injuries, both externally and internally, and was, and will be, hindered and prevented from attending to his usual duties and affairs and has lost and in the future will lose the value of that time as aforesaid.

17. Plaintiff Sonnier also suffered great pain and anguish; both in mind and body, and will in the future continue to suffer.

18. Plaintiff Sonnier further expended and became liable for, and will expend and become liable for, large sums of money for medical care and for services endeavoring to become healed and cured of said injuries.

WHEREFORE, plaintiff Howard Kirby Sonnier, demands judgment against the defendant CITGO Petroleum Corporation for a sum in excess of \$50,000.00 together with costs of this action.

Respectfully submitted,



Robert D. Kreisman, attorney for Plaintiff
Howard Kirby Sonnier

KREISMAN LAW OFFICES
55 West Monroe St., Suite 3700
Chicago, Illinois 60603
(312) 346-0045
bob@robertkreisman.com
Attorney No. 12926

Exhibit B

WWW.CYBERDRIVEILLINOIS.COM

JESSE WHITE
SECRETARY OF STATE



CORPORATION FILE DETAIL REPORT

Entity Name	CITGO PETROLEUM CORPORATION	File Number	53036872
Status	ACTIVE		
Entity Type	CORPORATION	Type of Corp	FOREIGN BCA
Qualification Date (Foreign)	03/31/1983	State	DELAWARE
Agent Name	C T CORPORATION SYSTEM	Agent Change Date	11/02/1983
Agent Street Address	208 SO LASALLE ST, SUITE 814	President Name & Address	ALEJANDRO GRANADO 1293 ELDRIGE PKWY HOUSTON TX 77077
Agent City	CHICAGO	Secretary Name & Address	ARNALDO ARCAY SAME
Agent Zip	60604	Duration Date	PERPETUAL
Annual Report Filing Date	08/17/2012	For Year	2012
Old Corp Name	04/20/1983 - CITIES SERVICES RMT CORPORATION		

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Exhibit C

224 South Michigan Avenue
Suite 1100
Chicago, Illinois 60604-2516
Tel 312 660 7600 Fax 312 692 1718

William Booth

(312) 660-7661
booth@eimerstahl.com

May 30, 2013

Via Certified U.S. Mail and Email to:

Robert D. Kreisman
Kreisman Law Offices
55 West Monroe Street
Chicago, Illinois 60603
Office: 312-346-0045
Email: bob@robertkreisman.com

Re: Howard Sonnier v. CITGO (No. 2013-L-4960).

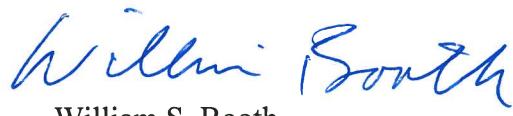
Dear Mr. Kreisman:

I represent CITGO Petroleum Corporation in defense of the Complaint served May 15, 2013 on behalf of Howard Sonnier. From a plain reading of the injuries and damages alleged, it appears that Plaintiff seeks to recover in excess of \$75,000 from CITGO. Therefore, because all requirements for diversity jurisdiction under 28 U.S.C. § 1332 (a) are satisfied, we intend to remove this matter to the District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1446(b).

However, if your client does not seek to recover damages in excess of \$75,000, please provide us with an executed and notarized stipulation from Mr. Jenilek by the close of business on June 7, 2013, in which he states that he does not seek, nor will he accept if awarded, total damages and attorney's fees from CITGO in excess of \$75,000, exclusive of costs and interest. Otherwise, we will assume that Plaintiff agrees that the amount in controversy exceeds \$75,000, and that he also agrees that removal to Federal Court is appropriate.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,



William S. Booth

WSB/l1
cc: Scott C. Solberg (via email)

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Robert D. Kreisman
Kreisman Law Offices
55 West Monroe Street
Chicago, Illinois 60603

COMPLETE THIS SECTION ON DELIVERY

A. Signature *John D. Vertucci* Agent Addressee

B. Received by (Printed Name) *VERNUCCI* C. Date of Delivery *5/31/13*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

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 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes2. Article Number
(Transfer from service label)

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PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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William S. Booth
Eimer Stahl LLP
224 South Michigan Avenue
Suite 1100
Chicago, IL 60604-2516

Exhibit D

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

<p>HOWARD KIRBY SONNIER, Plaintiff, v. CITGO PETROLEUM CORPORATION, Defendants.</p>	<p>Removed from the Circuit Court of Cook County (Case No. 13-L-4960)</p>
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NOTICE OF REMOVAL TO ALL ADVERSE PARTIES

TO: Robert D. Kreisman, Attorney for Plaintiff
KREISMAN LAW OFFICES
55 West Monroe Street, Suite 3700
Chicago, Illinois 60603
Office: (312) 346-0045
Email: bob@robertkreisman.com

PLEASE TAKE NOTICE that on June 11, 2013, Defendant CITGO Petroleum Corporation filed a Notice of Removal of this action to the United States District Court for the Northern District of Illinois, a copy of which is attached hereto as **Exhibit A**. This Notice is served upon you as counsel of record for Plaintiff in compliance with 28 U.S.C. § 1446.

Dated: June 11, 2013

Respectfully submitted,

By: /s/ William S. Booth
One of Its Attorneys

Scott C. Solberg
William S. Booth
EIMER STAHL LLP
224 S. Michigan Avenue, Suite 1100
Chicago, Illinois 60604
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bbooth@eimerstahl.com

*Attorneys for CITGO
Petroleum Corporation*

Exhibit E

**CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

HOWARD KIRBY SONNIER, Plaintiff, v. CITGO PETROLEUM CORPORATION, Defendants.	Case No. 13-L-4960
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NOTICE OF REMOVAL TO CIRCUIT COURT CLERK

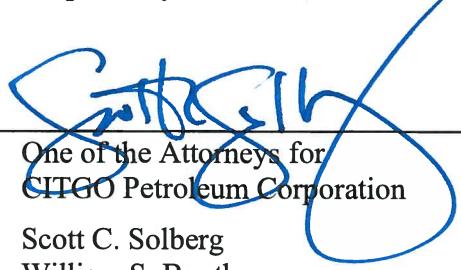
To: Clerk of the Circuit Court of
Cook County, Illinois
Richard J. Daley Center, Room 1001
50 West Washington Street
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on June 11, 2013, CITGO Petroleum Corporation filed a Notice of Removal of this action to the United States District Court for the Northern District of Illinois, a copy of which is attached hereto as **Exhibit A**, and a Notice of Removal to All Adverse Parties, a copy of which is attached hereto as **Exhibit B**.

PLEASE TAKE FURTHER NOTICE that pursuant to 28 U.S.C. § 1446, the filing of the Notice of Removal to the United States District Court for the Northern District of Illinois affects removal of this action, and this Court may not proceed further unless this case is remanded.

Dated: June 11, 2013

Respectfully submitted,

By: 

One of the Attorneys for
CITGO Petroleum Corporation

Scott C. Solberg
William S. Booth
EIMER STAHL LLP

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*Attorneys for CITGO
Petroleum Corporation*